

3 PRIMROSE STREET  
NEWTOWN, CT 06470  
TEL. (203) 270-4201  
FAX (203) 270-4205  
[www.newtown-ct.gov](http://www.newtown-ct.gov)



## TOWN OF NEWTOWN

### TOWN OF NEWTOWN LEGISLATIVE COUNCIL MEETING MINUTES

NOVEMBER 7, 2018

NEWTOWN MUNICIPAL CENTER, NEWTOWN, CT

**PRESENT:** Chris Eide, Jordana Bloom, Judit DeStefano, Ryan Knapp, Dan Wiedemann, Paul Lundquist, Phil Carroll, Jay Mattegat, Dan Honan.

**ABSENT:** Chris Smith, Robert Pickard, Kelley Johnson.

**ALSO PRESENT:** First Selectman Dan Rosenthal, Economic Development Commission Wes Thompson, S.H.O.P. Michael Burton, Flint Ridge Development Christopher Hottois, Newtown Forest Association President Bob Eckenrode, 1 Public, 1 Press.

**CALL TO ORDER:** Mr. Lundquist called the meeting to order with the Pledge of Allegiance at 7:35 pm.

**VOTER COMMENT:** None.

**MINUTES:** MS. DESTEFANO MOVED TO APPROVE THE MINUTES OF THE OCTOBER 3, 2018 REGULAR MEETING. SECOND BY MR. CARROLL. ALL IN FAVOR. MOTION PASSES. (7-0) (Mr. Knapp and Mr. Wiedemann abstained.)

**COMMUNICATIONS:** Mr. Lundquist said that there was one letter of correspondence received relating to the plastic bag ordinance. (ATTACHMENT)

#### COMMITTEE REPORTS:

Ordinance Committee: Mr. Knapp said that about 40 people attended the last meeting, attributing the big turnout to the plastic bag ordinance, also received approximately 500 signatures in the petition, which will be included as an attachment to the minutes.

**FIRST SELECTMAN'S REPORT:** Mr. Rosenthal said the police station project passed with a resounding vote, with this on the general election ballot, the turnout was 75% which is significantly higher than turnout on a typical referendum ballot. The project got 62% of the vote. Mr. Rosenthal thanked everyone for working together, nearly every board and commission voted unanimously to approve the project.

Mr. Rosenthal said the purchasing agent position has been offered and accepted, and is expected to start next week, more details to follow.

At the last meeting, the Board of Selectmen moved two appropriations for 2018/19 CIP items, \$250,000 for Sandy Hook Permanent Memorial and \$300,000 for the library project. (ATTACHMENT)

Mr. Wiedemann asked for a rundown of the process with the police department project. Mr. Rosenthal said that they have concept design, the Board of Selectmen needs to hand the project over, and make it a Public Building

and Site project for management. Issue an RFP to hire a construction manager before allowing the design to move ahead in keeping with the bid window. Bidding in May/June time frame, break ground thereafter, completion estimated by summer 2020. Mr. Rosenthal will be speaking with the town attorney tomorrow and proceed with closing on the property.

Mr. Carroll asked if the new purchasing agent will be involved in the police station project. Mr. Rosenthal said the purchasing agent will be involved in some of the bidding process.

Mr. Lundquist asked who the purchasing agent reports to. Mr. Rosenthal said that the position reports to Bob Tait and Ron Bienkowski. The plan is that the purchasing agent will be located in an office across from Meeting Room 1 in the Municipal Center.

### **NEW BUSINESS:**

Mr. Lundquist began with New Business to allow for S.H.O.P. presentation to go before Old Business agenda items.

### **SHOP Discussion Regarding 7 Glen Rd**

Mr. Burton, President of S.H.O.P., introduced Christopher Hottoiss S.H.O.P. member and Sandy Hook property owner, and thanked the Legislative Council for entertaining the conversation about an exciting project that they feel will be beneficial to the Town and to Sandy Hook, Sandy Hook Village Heritage Park and Trail. It is a concept proposal put together over the past year, with a lot of input from neighbors, S.H.O.P., pro bono work by a local architect, local civil engineer, and local landscape designer. Mr. Hottoiss pulled together the presentation. Mr. Burton explained that S.H.O.P. considers themselves as the stewards of Sandy Hook Center. They partner with the Town on a number of issues that benefit the Town and Sandy Hook. With the Town, they have worked on two streetscape projects, two water line projects, village maintenance, seasonal light pole decorations, and events year-round like the concert series, Passport to Sandy Hook, Christmas Tree lighting, Halloween Walk. They try to promote Sandy Hook as a pedestrian-friendly, family-friendly, mixed-use community within Newtown. Mr. Burton said he is happy to be part of the group, they fundraise quite a bit, and try to do what is best for the community. There are some constraints in Sandy Hook Center, parking is a big constraint, and has been an impediment to development of the center. The lack of community space has been a problem that they have tried to overcome, they are allowed to use Porco's property for concerts, but are in need of another public space for other events. They appreciate that the Town addressed the blight problem of this property in the past, and feel this property offers potential, the location is right in the middle of Sandy Hook Center, and offers leverage to the advantage of Sandy Hook and the Town of Newtown. Mr. Burton would like the Legislative Council to take a look at this proposal which is a park and trail concept. The trail aspect is a "museum in the streets" of which they have been fundraising for about a year and acquired the money to implement that.

Mr. Burton turned the presentation over to Mr. Hottoiss who reviewed the Sandy Hook Village Heritage Park & Trail Concept Proposal. (ATTACHMENT) Mr. Hottoiss reviewed sidewalk extension and fitting with the construct of the plan for Sandy Hook and fits with overall plan for Sandy Hook that the Town has already committed to and envisions. He summarized the benefits of the proposal and said that by retaining the parcel as Town property, it mitigates the risks and costs of remediating the site, increases Town control over ultimate use of the parcel, increases real estate values of Sandy Hook Center. Mr. Hottoiss said that The Trust for Public Land, a non-profit organization in existence since 1972, has done a series of studies over the decades that estimates the values of parks and park systems, and some of their studies have referenced that dwellings and properties within 500 feet of a park values tend to increase up to 15%. Mr. Hottoiss asked the Legislative

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Council to look more broadly at the economic value and consider the economic value to Sandy Hook Village as a whole rather than just one particular property.

Mr. Lundquist said that this presentation is to share a vision of what S.H.O.P. has been considering for a while and has put a lot of work into the vision. Mr. Lundquist that the Legislative Council will not be taking any action on this tonight and opened the floor for questions from Council members.

Ms. DeStefano asked what S.H.O.P. envisions for maintenance needs, costs, and whether that would fall to S.H.O.P. or Town. Mr. Burton said that they envision a shared responsibility with S.H.O.P. and the Town. Probably look to the Town for snow plowing and lawn maintenance. He does not see it as big cost impact to the Town's budget. Ms. DeStefano asked about trail maintenance. Trails will mainly be sidewalks.

Mr. Burton introduced Bob Eckenrode, President of the Newtown Forest Association. Mr. Eckenrode said that this particular project is of interest to him personally, Newtown Forest Association has over 113 properties all over Newtown, some very large, managed as wildlife preserves, one of the smallest is the Glen Preserve which hosts the Christmas Tree and a single bench overlooking the Pootatuck River, which he has been told that is one of the most historic, scenic, and emotionally comforting spots in all of Fairfield County. When he heard that S.H.O.P. was interested in a project on another piece of property along the river with an open space component, Newtown Forest Association is all for that and sees it as a valuable opportunity to take a less-than desirable property and turn it into an integral piece for Sandy Hook Center.

Mr. Knapp said that the concept is a neat idea, his questions and concerns are about cost, timing, scope, recognizing that the past action of the Council was not to keep the property and made reference to Charter. He encouraged to consider a model similar to the Fairfield Hill model, leasing, to get it done faster rather than a future CIP item, CIP items may get shifted around in the future. On the northern edge by Rocky Glen, he expressed concern about too much clearing along the bank of the river. Mr. Burton said that they have involved Rob Sibley with discussions about that location.

Mr. Eide asked about the breakout of costs, parking and capping area, pavilion. The parking lot came out to be \$42,000-45,000.

Ms. Bloom said she liked the proposal and anything to add to the charm of the Town, Sandy Hook, and adds to the beauty of the Town, in order to pay for it, maybe more fundraising is needed. Would the pavilion be lit? Mr. Hottoiss said in order to maximize the pavilion, light and electric would be necessary.

Mr. Lundquist asked about concert series at the pavilion or stage at Porco property, how would the Porco property and this interact. Mr. Burton said that there is conflict with parking for the restaurant and timing, this would add 30 parking spots. For some concerts, they have used the firehouse and shuttled people down.

Mr. Mattegat said if this ever came to fruition, knowing that some S.H.O.P. members own construction companies, would those construction companies excuse themselves from a bidding process from the Town so that there would be no conflict of interest. Mr. Burton said labor would be donated, if companies would be paid, they would excuse themselves.

Mr. Honan asked about the condition of the Dayton Street bridge and costs. Mr. Hottoiss said that paint and repair of some planks would be needed.

## **OLD BUSINESS:**

### **Ordinance Prohibiting the Storage, Disposal or Use of Fracking Waste (ATTACHMENT)**

Mr. Lundquist said that the intent here, now that the Ordinance Committee is finished, is to send this to a public hearing, after which the Legislative Council will act. The Charter requires that the notice be given of the time

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and place of the public hearing and that it be publicized in the newspaper of sufficient subscription and distribution, The Newtown Bee, it needs to be noticed at least 10 days before the public hearing. If sent to public hearing today, the public hearing could be held on December 5 before the start of the regular meeting of the Legislative Council on December 5. MR. WIEDEMANN MOVED TO SEND TO PUBLIC HEARING THE ORDINANCE PROHIBITING THE STORAGE, DISPOSAL OR USE OF FRACKING WASTE. SECOND BY MR. KNAPP. Mr. Knapp added that the committee did due diligence, research and came up with a model ordinance and discussed concerns with Fred Hurley, those that drafted the original ordinance, river watch groups. To provide some context, Mr. Knapp explained that the state let a statute expire, awaiting DEEP action, so towns took it upon themselves to pass this. Over 50 towns have adopted. This is a more comprehensive model, has been reviewed by David Grogins, and the committee voted unanimously to recommend this at the last meeting. ALL IN FAVOR. MOTION PASSES. (9-0)

### **Northwest Regional Workforce Investment Board Agreement (ATTACHMENT)**

Mr. Lundquist said this agreement has been in place since 2014, includes 41 different municipalities across the Waterbury, Danbury, and Torrington labor markets. This a renewed agreement that will go into effect June 1. This new agreement reflects updated requirements for the U.S. Department of Labor. As Newtown's legislative body, statute says that the Legislative Council enter into inter-local agreements, although functionally it will reside with the First Selectman as the chief elected official who will be representing Newtown as part of this process. Typical grants have been smallish, help with job training, work projects helping high school students. Newtown has been participating in this as part of this organization. The agreement has been reviewed by town attorney, no issues. Mr. Rosenthal added that this is similar to a COG, it exists to create a framework around federal or state grants that are funneled to communities for workforce training. For example, there is a small grant received annually that helps pay for the alternative work program at the high school. MR. WIEDEMANN MOVED TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE NORTHWEST REGIONAL WORKFORCE INVESTMENT BOARD AND AUTHORIZE THE FIRST SELECTMAN TO SIGN AND REPRESENT THE TOWN OF NEWTOWN. SECOND BY MR. CARROLL. ALL IN FAVOR. MOTION PASSES. (9-0)

**VOTER COMMENT:** None.

**ANNOUNCEMENTS:** Mr. Lundquist congratulated local, state, and national representatives who won their elections last night, and he congratulated all Legislative Council members who won an election last year, recognizing their one-year anniversary on the Legislative Council.

**ADJOURNMENT:** There being no further business the meeting adjourned at 8:30 pm.

Respectfully Submitted,  
June Sgobbo  
Clerk

Attachments: Correspondence, Newtown Resolutions & Proceedings, Newtown Resolution \$250k Permanent Memorial (2018), Newtown Proceedings \$300k Library & \$250k Sandy Hook Permanent Memorial, Newtown Resolution \$300k Library Improvements, SHPMC Impact Statement, Library Impact Statement, Sandy Hook Village Heritage Park & Trail Concept Proposal, 2018-10-25 Ordinance and DD Approved Fracking Waste Language, IGA Final Version Sept. 2018, IGA Revised Page 2.

**THESE MINUTES ARE SUBJECT TO APPROVAL BY THE LEGISLATIVE COUNCIL AT THE NEXT MEETING.**

---- Forwarded message -----

From: **Patricia Harrity via Newtown CT** <[cmsmailer@civicplus.com](mailto:cmsmailer@civicplus.com)>

Date: Thu, Oct 25, 2018 at 11:18 AM

Subject: Form submission from: Contact the Legislative Council

To: <[plundquist.newtown@gmail.com](mailto:plundquist.newtown@gmail.com)>

Submitted on Thursday, October 25, 2018 - 11:18am

Submitted by user: Anonymous

Submitted values are:

Your name: Patricia Harrity

Your e-mail address: [harrityp@gmail.com](mailto:harrityp@gmail.com)

Subject: Plastic Bag Ban

Message: I want to express my enthusiastic support for the plastic bag ban being brought before the Legislative Council. It's frustrating to me that even when I have my reusable grocery bags cashiers automatically start using plastic bags. We need legislation to signify the importance of all citizen making this a small change which will greatly benefit our environment.

Thanks, Tricia

GLENN A. SANTORO

280 Trumbull Street  
Hartford, CT 06103-3597  
Main (860) 275-8200  
Fax (860) 275-8299  
gsantoro@rc.com  
Direct (860) 275-8322

October 18, 2018

VIA E-MAIL AND REGULAR MAIL

Robert G. Tait  
Financial Director  
Town of Newtown  
3 Primrose Street  
Newtown, CT 06470

Re: Resolution Providing For A Special Appropriation In The Amount Of \$250,000 For The Planning And Design Of The Sandy Hook Permanent Memorial As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$250,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose

Resolution Providing For A Special Appropriation In The Amount Of \$300,000 For The Renovations, Replacements And Upgrades To The Cyrenius H. Booth Library As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$300,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose

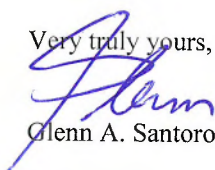
Dear Bob:

Enclosed please find the above-captioned resolutions and a set of proceedings to be followed in connection with their adoption by the Town. For your convenience a bond resolution adoption timeline has been attached as Schedule A. We have assumed, pursuant to Section 6-35(e) of the Charter, that the aggregate total of the proposed resolutions (\$550,000.00) will not exceed the amount equal to one mil on the most recently completed Grand List.

By copy of this letter, I am requesting the Town Clerk to send me one (1) certified copy of all the proceedings as they appear in the Town record book.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

  
Glenn A. Santoro

Enclosures

cc: Daniel Rosenthal, First Selectman  
Debbie A. Halstead, Town Clerk  
David L. Grogins, Esq., Town Attorney  
Susan Marcinek

**SCHEDULE A**  
**TOWN OF NEWTOWN**  
**Bond Resolution Adoption Timeline**

**Request for Special or Emergency  
Appropriation**

*Sec 6-35(b) of Town Charter –*

A request may be initiated by (i) the First Selectman with the approval of the Board of Selectmen or (ii) by the Legislative Council

The First Selectman shall request in writing an estimate of the funds required, reason for request, and method of financing

Finance Director shall prepare a Financial Impact Statement for requests for Special Appropriations

**Board of Selectmen Meeting**

*According to custom or practice.*

Board of Selectmen meets to adopt bond resolution

**Board of Finance Meeting**

*According to custom or practice.*

Board of Finance meets to recommend adoption of the resolution

*Sec 6-35(d) of Town Charter –*

Letter of Board of Finance to Legislative Council recommending adoption of resolution

**Legislative Council Meeting**

*Sec 6-35(e) of Town Charter –*

Legislation Council meets to adopt resolution

*Legislative Council shall have the power to make Special and Emergency Appropriations not to exceed \$1,500,000. Said amount (i) shall be cumulative during the fiscal year as to all appropriations related to said purpose (ii) shall not exceed an amount equal to one mil on the most recently completed Grand List\*\**

**Planning and Zoning Commission**

**(“P&Z”) Meeting**

*C.G.S. § 8-24*

P&Z meets to review the proposals for (i) the planning and design of the Sandy Hook Permanent Memorial and (ii) the renovations, replacements and upgrades to the Cyrenius H. Booth Library, and approves such proposals

**\*\*Schedule A** is based on the assumption, pursuant to Section 6-35(e) of the Charter, that the aggregate amount of the proposed resolutions will not exceed the amount equal to one mil on the most recently completed Grand List.

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$250,000 FOR THE PLANNING AND DESIGN OF THE SANDY HOOK PERMANENT MEMORIAL AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2018-19 TO 2022-23) AND AUTHORIZING THE ISSUANCE OF \$250,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of \$250,000 is a special appropriation made pursuant to Chapter 6, Section 6-35 of the Town Charter of the Town of Newtown (the "Town") for the engineering, planning and design of the Sandy Hook Permanent Memorial, as authorized in the Capital Improvement Plan (2018-19 to 2022-23) and for architectural and engineer's fees, administrative, financing, legal and costs of issuance related thereto (collectively, the "Project"), said appropriation to be inclusive of any and all State and Federal grants-in-aid thereof.

Section 2. To meet said appropriation, \$250,000 bonds of the Town, or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of Connecticut, Revision of 1958, as amended from time to time (the "Connecticut General Statutes"). The bonds may be issued in one or more series as determined by the Financial Director, and the amount of bonds of each series to be issued shall be fixed by the Financial Director, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amount of State and Federal grants-in-aid of the Project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of the bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The bonds shall be in the denomination of \$5,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Financial Director, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest shall be determined by the First Selectman and the Financial Director, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the First Selectman and the Financial Director in a competitive offering and the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. To the extent required by the Charter of the Town of Newtown, bids shall be solicited from at least three lending institutions. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 4. The First Selectman and the Financial Director are authorized to make temporary



borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the First Selectman and the Financial Director, have the seal of the Town affixed, be payable at a bank or trust company designated by the First Selectman, be approved as to their legality by Robinson & Cole LLP, of Hartford, Connecticut, and be certified by a bank or trust company designated by the First Selectman pursuant to Section 7-373 of the Connecticut General Statutes. The notes shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The First Selectman or his designee is hereby authorized, in the name and on behalf of the Town, to apply for and accept any and all Federal and State loans and/or grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith, to contract in the name of the Town with engineers, contractors and others.

Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this resolution in the maximum amount of the Project with the proceeds of bonds or bond anticipation notes or other obligations ("Tax-Exempt Obligations") authorized to be issued by the Town. The Tax-Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Financial Director or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of Tax-Exempt Obligations, and to amend this declaration.

Section 7. The First Selectman and the Financial Director are hereby authorized, in the name and on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The First Selectman is hereby authorized, in the name and on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution.

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$300,000 FOR THE RENOVATIONS, REPLACEMENTS AND UPGRADES TO THE CYRENIUS H. BOOTH LIBRARY AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2018-19 TO 2022-23) AND AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of \$300,000 is a special appropriation made pursuant to Chapter 6, Section 6-35 of the Town Charter of the Town of Newtown (the "Town") for the renovations, replacements and upgrades to the Cyrenius H. Booth Library, including, but not limited to, the furnishing and installation of replacement skylights; roof and flashing repairs; HVAC system upgrades; the furnishing and installation of carpeting; upgrades to lavatories for ADA compliance and the furnishing and installation of lighting, plumbing and fixtures; equipment and technology upgrades; Phase II long range space planning & development, including staff security, children's room, meeting room and flexible space; and furniture replacement, all as authorized in the Capital Improvement Plan (2018-19 to 2022-23) and for architectural and engineer's fees, administrative, financing, legal and costs of issuance related thereto (collectively, the "Project"), said appropriation to be inclusive of any and all State and Federal grants-in-aid thereof.

Section 2. To meet said appropriation, \$300,000 bonds of the Town, or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of Connecticut, Revision of 1958, as amended from time to time (the "Connecticut General Statutes"). The bonds may be issued in one or more series as determined by the Financial Director, and the amount of bonds of each series to be issued shall be fixed by the Financial Director, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amount of State and Federal grants-in-aid of the Project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of the bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The bonds shall be in the denomination of \$5,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Financial Director, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest shall be determined by the First Selectman and the Financial Director, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the First Selectman and the Financial Director in a competitive offering and the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. To the extent required by the Charter of the Town of Newtown, bids shall be solicited from at least three lending institutions. A notice of sale or a summary thereof

describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 4. The First Selectman and the Financial Director are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the First Selectman and the Financial Director, have the seal of the Town affixed, be payable at a bank or trust company designated by the First Selectman, be approved as to their legality by Robinson & Cole LLP, of Hartford, Connecticut, and be certified by a bank or trust company designated by the First Selectman pursuant to Section 7-373 of the Connecticut General Statutes. The notes shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The First Selectman or his designee is hereby authorized, in the name and on behalf of the Town, to apply for and accept any and all Federal and State loans and/or grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith, to contract in the name of the Town with engineers, contractors and others.

Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this resolution in the maximum amount of the Project with the proceeds of bonds or bond anticipation notes or other obligations ("Tax-Exempt Obligations") authorized to be issued by the Town. The Tax-Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Financial Director or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of Tax-Exempt Obligations, and to amend this declaration.

Section 7. The First Selectman and the Financial Director are hereby authorized, in the name and on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The First Selectman is hereby authorized, in the name and on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution.

Excerpt for Minutes of Board of Selectmen Meeting  
to be held \_\_\_\_\_, 2018

A meeting of the Board of Selectmen of the Town of Newtown was held in the \_\_\_\_\_ on \_\_\_\_\_, 2018, at \_\_\_\_\_ o'clock \_M. (E.T.).

\* \* \*

Members present and absent were as follows:

Present  
(List Names)

Absent

\* \* \*

Mr./Ms. \_\_\_\_\_ introduced and read the following resolution:

[INSERT ENTIRE RESOLUTION]

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$250,000 For The Planning And Design Of The Sandy Hook Permanent Memorial As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$250,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, said special appropriation was initiated by the First Selectman in a letter dated November 5, 2018, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter;

Mr./Ms. \_\_\_\_\_ moved that said resolution be adopted as introduced and read and the motion was seconded by Mr./Ms. \_\_\_\_\_. Upon roll call vote the ayes and nays were as follows:

AYES  
(List names)

NAYS

Mr./Ms. \_\_\_\_\_ thereupon declared the motion carried and the resolution adopted.

\* \* \*

Mr./Ms. \_\_\_\_\_ introduced and read the following resolution:

[INSERT ENTIRE RESOLUTION]

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$300,000 For The Renovations, Replacements And Upgrades To The Cyrenius H. Booth Library As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$300,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, said special appropriation was initiated by the First Selectman in a letter dated November 5, 2018, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter;

Mr./Ms. \_\_\_\_\_ moved that said resolution be adopted as introduced and read and the motion was seconded by Mr./Ms. \_\_\_\_\_. Upon roll call vote the ayes and nays were as follows:

AYES  
(List names)

NAYS

Mr./Ms. \_\_\_\_\_ thereupon declared the motion carried and the resolution adopted.

\* \* \*

Excerpt for Minutes of Board of Finance Meeting  
to be held \_\_\_\_\_, 2018

A meeting of the Board of Finance of the Town of Newtown was held in the \_\_\_\_\_ on \_\_\_\_\_, 2018, at \_\_\_\_\_ o'clock \_\_M. (E.T.).

\* \* \*

Members present and absent were as follows:

Present  
(List Names)

Absent

\* \* \*

Mr./Ms. \_\_\_\_\_ introduced and read the following resolution:

[INSERT ENTIRE RESOLUTION]

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$250,000 For The Planning And Design Of The Sandy Hook Permanent Memorial As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$250,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, said special appropriation was initiated by the First Selectman in a letter dated November 5, 2018, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter;

Mr./Ms. \_\_\_\_\_ moved that said resolution be adopted as introduced and read and the motion was seconded by Mr./Ms. \_\_\_\_\_. Upon roll call vote the ayes and nays were as follows:

AYES  
(List names)

NAYS

Mr./Ms. \_\_\_\_\_ thereupon declared the motion carried and the resolution adopted.

\* \* \*

Mr./Ms. \_\_\_\_\_ introduced and read the following resolution:

[INSERT ENTIRE RESOLUTION]

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$300,000 For The Renovations, Replacements And Upgrades To The Cyrenius H. Booth Library As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$300,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, said special appropriation was initiated by the First Selectman in a letter dated \_\_\_\_\_, 2018, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter;

Mr./Ms. \_\_\_\_\_ moved that said resolution be adopted as introduced and read and the motion was seconded by Mr./Ms. \_\_\_\_\_. Upon roll call vote the ayes and nays were as follows:

AYES  
(List names)

NAYS

Mr./Ms. \_\_\_\_\_ thereupon declared the motion carried and the resolution adopted.

\* \* \*

(Letterhead of Board of Finance)

\_\_\_\_\_, 2018

To the Legislative Council

Members of the Council:

At a meeting of the Board of Finance held \_\_\_\_\_, 2018, the following resolutions were approved and recommended for adoption:

RESOLVED: That the resolutions entitled "Resolution Providing For A Special Appropriation In The Amount Of \$250,000 For The Planning And Design Of The Sandy Hook Permanent Memorial As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$250,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose" and "Resolution Providing For A Special Appropriation In The Amount Of \$300,000 For The Renovations, Replacements And Upgrades To The Cyrenius H. Booth Library As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$300,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose"; copies of which are attached hereto, are hereby adopted and recommended to the Legislative Council for consideration and action, said special appropriations were requested in a letter initiated by the First Selectman, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

Very truly yours,

\_\_\_\_\_  
Chairman  
Board of Finance



Item for Agenda of  
Meeting of Legislative Council

1. To consider and act upon the resolutions entitled:

“Resolution Providing For A Special Appropriation In The Amount Of \$250,000 For The Planning And Design Of The Sandy Hook Permanent Memorial As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$250,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose” and “Resolution Providing For A Special Appropriation In The Amount Of \$300,000 For The Renovations, Replacements And Upgrades To The Cyrenius H. Booth Library As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$300,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”; copies of which are attached hereto, said special appropriations were requested in a letter initiated by the First Selectman, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

Excerpt for Minutes of Meeting  
of Legislative Council  
to be held \_\_\_\_\_, 2018

A meeting of the Legislative Council of the Town of Newtown was held in the \_\_\_\_\_ on \_\_\_\_\_, 2018, at \_\_\_\_\_ o'clock \_\_.M. (E.T.).

\* \* \*

Members present and absent were as follows:

Present  
(List Names)

Absent

\* \* \*

Councilperson \_\_\_\_\_ introduced and read the following resolution:

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$250,000 For The Planning And Design Of The Sandy Hook Permanent Memorial As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$250,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, said special appropriation was initiated by the First Selectman in a letter dated November 5, 2018, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter;

Councilperson \_\_\_\_\_ moved that said resolution be adopted as introduced and read and the motion was seconded by Councilperson \_\_\_\_\_. Upon roll call vote the ayes and nays were as follows:

AYES  
(List Names)

NAYS

Councilperson \_\_\_\_\_ thereupon declared the motion carried and the resolution adopted.

\*\*\*

Councilperson \_\_\_\_\_ introduced and read the following resolution:

RESOLVED: That the resolution entitled “Resolution Providing For A Special Appropriation In The Amount Of \$300,000 For The Renovations, Replacements And Upgrades To The Cyrenius H. Booth Library As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$300,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, a copy of which is attached hereto, said special appropriation was initiated by the First Selectman in a letter dated November 5, 2018, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter;

Councilperson \_\_\_\_\_ moved that said resolution be adopted as introduced and read and the motion was seconded by Councilperson \_\_\_\_\_. Upon roll call vote the ayes and nays were as follows:

AYES  
(List Names)

NAYS

Councilperson \_\_\_\_\_ thereupon declared the motion carried and the resolution adopted.

\*\*\*

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN  
THE AMOUNT OF \$250,000 FOR THE PLANNING AND DESIGN  
OF THE SANDY HOOK PERMANENT MEMORIAL AS  
AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2018-19  
TO 2022-23)

RESOLVED:

The Planning and Zoning Commission of the Town of Newtown, exercising the authority of the Planning Commission pursuant to §8-24 of the General Statutes, having reviewed the proposal for the planning and design of the Sandy Hook Permanent Memorial, hereby approves said proposal;

EXCERPT FOR MINUTES OF NEWTOWN  
PLANNING AND ZONING COMMISSION MEETING  
HELD \_\_\_\_\_, 2018

Item \_\_\_\_\_.

Commissioner \_\_\_\_\_ moved that the following resolution be adopted:

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN  
THE AMOUNT OF \$250,000 FOR THE PLANNING AND DESIGN  
OF THE SANDY HOOK PERMANENT MEMORIAL AS  
AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2018-19  
TO 2022-23)

A copy of said resolution is attached hereto.

Seconded by Commissioner \_\_\_\_\_. [Insert discussion, if any.]

Roll Call Vote:

AYES  
(List Names)

NAYS

\* \* \*

I hereby certify that the above is a true and correct copy of the excerpt of the Minutes of the above meeting as they are recorded in the records of the Town.

\_\_\_\_\_  
Clerk

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN  
THE AMOUNT OF \$300,000 FOR THE RENOVATIONS,  
REPLACEMENTS AND UPGRADES TO THE CYRENIUS H.  
BOOTH LIBRARY AS AUTHORIZED IN THE CAPITAL  
IMPROVEMENT PLAN (2018-19 TO 2022-23)

RESOLVED:

The Planning and Zoning Commission of the Town of Newtown, exercising the authority of the Planning Commission pursuant to §8-24 of the General Statutes, having reviewed the proposal for the renovations, replacements and upgrades to the Cyrenius H. Booth Library, hereby approves said proposal;

EXCERPT FOR MINUTES OF NEWTOWN  
PLANNING AND ZONING COMMISSION MEETING  
HELD \_\_\_\_\_, 2018

Item \_\_\_\_\_.

Commissioner \_\_\_\_\_ moved that the following resolution be adopted:

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN  
THE AMOUNT OF \$300,000 FOR THE RENOVATIONS,  
REPLACEMENTS AND UPGRADES TO THE CYRENIUS H.  
BOOTH LIBRARY AS AUTHORIZED IN THE CAPITAL  
IMPROVEMENT PLAN (2018-19 TO 2022-23)

A copy of said resolution is attached hereto.

Seconded by Commissioner \_\_\_\_\_. [Insert discussion, if any.]

Roll Call Vote:

AYES  
(List Names)

NAYS

\* \* \*

I hereby certify that the above is a true and correct copy of the excerpt of the Minutes of the above meeting as they are recorded in the records of the Town.

\_\_\_\_\_  
Clerk

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$250,000 FOR THE PLANNING AND DESIGN OF THE SANDY HOOK PERMANENT MEMORIAL AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2018-19 TO 2022-23) AND AUTHORIZING THE ISSUANCE OF \$250,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of \$250,000 is a special appropriation made pursuant to Chapter 6, Section 6-35 of the Town Charter of the Town of Newtown (the "Town") for the engineering, planning and design of the Sandy Hook Permanent Memorial, as authorized in the Capital Improvement Plan (2018-19 to 2022-23) and for architectural and engineer's fees, administrative, financing, legal and costs of issuance related thereto (collectively, the "Project"), said appropriation to be inclusive of any and all State and Federal grants-in-aid thereof.

Section 2. To meet said appropriation, \$250,000 bonds of the Town, or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of Connecticut, Revision of 1958, as amended from time to time (the "Connecticut General Statutes"). The bonds may be issued in one or more series as determined by the Financial Director, and the amount of bonds of each series to be issued shall be fixed by the Financial Director, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amount of State and Federal grants-in-aid of the Project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of the bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The bonds shall be in the denomination of \$5,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Financial Director, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest shall be determined by the First Selectman and the Financial Director, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the First Selectman and the Financial Director in a competitive offering and the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. To the extent required by the Charter of the Town of Newtown, bids shall be solicited from at least three lending institutions. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 4. The First Selectman and the Financial Director are authorized to make temporary

borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the First Selectman and the Financial Director, have the seal of the Town affixed, be payable at a bank or trust company designated by the First Selectman, be approved as to their legality by Robinson & Cole LLP, of Hartford, Connecticut, and be certified by a bank or trust company designated by the First Selectman pursuant to Section 7-373 of the Connecticut General Statutes. The notes shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The First Selectman or his designee is hereby authorized, in the name and on behalf of the Town, to apply for and accept any and all Federal and State loans and/or grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith, to contract in the name of the Town with engineers, contractors and others.

Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this resolution in the maximum amount of the Project with the proceeds of bonds or bond anticipation notes or other obligations ("Tax-Exempt Obligations") authorized to be issued by the Town. The Tax-Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Financial Director or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of Tax-Exempt Obligations, and to amend this declaration.

Section 7. The First Selectman and the Financial Director are hereby authorized, in the name and on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The First Selectman is hereby authorized, in the name and on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution.

Excerpt for Minutes of Board of Selectmen Meeting  
to be held \_\_\_\_\_, 2018

A meeting of the Board of Selectmen of the Town of Newtown was held in the  
\_\_\_\_\_ on \_\_\_\_\_, 2018, at \_\_\_\_\_  
o'clock \_\_.M. (E.T.).

\* \* \*

Members present and absent were as follows:

Present  
(List Names)

Absent

\* \* \*

Mr./Ms. \_\_\_\_\_ introduced and read the following resolution:

[INSERT ENTIRE RESOLUTION]

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$250,000 For The Planning And Design Of The Sandy Hook Permanent Memorial As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$250,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, said special appropriation was initiated by the First Selectman in a letter dated November 5, 2018, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter;

Mr./Ms. \_\_\_\_\_ moved that said resolution be adopted as introduced and read and the motion was seconded by Mr./Ms. \_\_\_\_\_. Upon roll call vote the ayes and nays were as follows:

AYES  
(List names)

NAYS

Mr./Ms. \_\_\_\_\_ thereupon declared the motion carried and the resolution adopted.

\* \* \*



Mr./Ms. \_\_\_\_\_ introduced and read the following resolution:

[INSERT ENTIRE RESOLUTION]

RESOLVED: That the resolution entitled “Resolution Providing For A Special Appropriation In The Amount Of \$300,000 For The Renovations, Replacements And Upgrades To The Cyrenius H. Booth Library As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$300,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, a copy of which is attached hereto, said special appropriation was initiated by the First Selectman in a letter dated November 5, 2018, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter;

Mr./Ms. \_\_\_\_\_ moved that said resolution be adopted as introduced and read and the motion was seconded by Mr./Ms. \_\_\_\_\_. Upon roll call vote the ayes and nays were as follows:

AYES  
(List names)

NAYS

Mr./Ms. \_\_\_\_\_ thereupon declared the motion carried and the resolution adopted.

\* \* \*

Excerpt for Minutes of Board of Finance Meeting  
to be held \_\_\_\_\_, 2018

A meeting of the Board of Finance of the Town of Newtown was held in the  
\_\_\_\_\_ on \_\_\_\_\_, 2018, at \_\_\_\_\_ o'clock  
\_.M. (E.T.).

\* \* \*

Members present and absent were as follows:

Present  
(List Names)

Absent

\* \* \*

Mr./Ms. \_\_\_\_\_ introduced and read the following resolution:

[INSERT ENTIRE RESOLUTION]

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$250,000 For The Planning And Design Of The Sandy Hook Permanent Memorial As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$250,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, said special appropriation was initiated by the First Selectman in a letter dated November 5, 2018, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter;

Mr./Ms. \_\_\_\_\_ moved that said resolution be adopted as introduced and read and the motion was seconded by Mr./Ms. \_\_\_\_\_. Upon roll call vote the ayes and nays were as follows:

AYES  
(List names)

NAYS

Mr./Ms. \_\_\_\_\_ thereupon declared the motion carried and the resolution adopted.

\* \* \*

Mr./Ms. \_\_\_\_\_ introduced and read the following resolution:

[INSERT ENTIRE RESOLUTION]

RESOLVED: That the resolution entitled “Resolution Providing For A Special Appropriation In The Amount Of \$300,000 For The Renovations, Replacements And Upgrades To The Cyrenius H. Booth Library As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$300,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, a copy of which is attached hereto, said special appropriation was initiated by the First Selectman in a letter dated \_\_\_\_\_, 2018, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter;

Mr./Ms. \_\_\_\_\_ moved that said resolution be adopted as introduced and read and the motion was seconded by Mr./Ms. \_\_\_\_\_. Upon roll call vote the ayes and nays were as follows:

AYES  
(List names)

NAYS

Mr./Ms. \_\_\_\_\_ thereupon declared the motion carried and the resolution adopted.

\* \* \*

(Letterhead of Board of Finance)

\_\_\_\_\_, 2018

To the Legislative Council

Members of the Council:

At a meeting of the Board of Finance held \_\_\_\_\_, 2018, the following resolutions were approved and recommended for adoption:

RESOLVED: That the resolutions entitled “Resolution Providing For A Special Appropriation In The Amount Of \$250,000 For The Planning And Design Of The Sandy Hook Permanent Memorial As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$250,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose” and “Resolution Providing For A Special Appropriation In The Amount Of \$300,000 For The Renovations, Replacements And Upgrades To The Cyrenius H. Booth Library As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$300,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”; copies of which are attached hereto, are hereby adopted and recommended to the Legislative Council for consideration and action, said special appropriations were requested in a letter initiated by the First Selectman, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

Very truly yours,

\_\_\_\_\_  
Chairman  
Board of Finance

Item for Agenda of  
Meeting of Legislative Council

1. To consider and act upon the resolutions entitled:

“Resolution Providing For A Special Appropriation In The Amount Of \$250,000 For The Planning And Design Of The Sandy Hook Permanent Memorial As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$250,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose” and “Resolution Providing For A Special Appropriation In The Amount Of \$300,000 For The Renovations, Replacements And Upgrades To The Cyrenius H. Booth Library As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$300,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”; copies of which are attached hereto, said special appropriations were requested in a letter initiated by the First Selectman, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

Excerpt for Minutes of Meeting  
of Legislative Council  
to be held \_\_\_\_\_, 2018

A meeting of the Legislative Council of the Town of Newtown was held in the  
\_\_\_\_\_ on \_\_\_\_\_, 2018, at \_\_\_\_\_ o'clock  
\_.M. (E.T.).

\* \* \*

Members present and absent were as follows:

Present  
(List Names)

Absent

\* \* \*

Councilperson \_\_\_\_\_ introduced and read the following resolution:

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$250,000 For The Planning And Design Of The Sandy Hook Permanent Memorial As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$250,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, said special appropriation was initiated by the First Selectman in a letter dated November 5, 2018, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter;

Councilperson \_\_\_\_\_ moved that said resolution be adopted as introduced and read and the motion was seconded by Councilperson \_\_\_\_\_. Upon roll call vote the ayes and nays were as follows:

AYES  
(List Names)

NAYS

Councilperson \_\_\_\_\_ thereupon declared the motion carried and the resolution adopted.

\*\*\*

Councilperson \_\_\_\_\_ introduced and read the following resolution:

RESOLVED: That the resolution entitled “Resolution Providing For A Special Appropriation In The Amount Of \$300,000 For The Renovations, Replacements And Upgrades To The Cyrenius H. Booth Library As Authorized In The Capital Improvement Plan (2018-19 to 2022-23) And Authorizing The Issuance Of \$300,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, a copy of which is attached hereto, said special appropriation was initiated by the First Selectman in a letter dated November 5, 2018, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter;

Councilperson \_\_\_\_\_ moved that said resolution be adopted as introduced and read and the motion was seconded by Councilperson \_\_\_\_\_. Upon roll call vote the ayes and nays were as follows:

AYES  
(List Names)

NAYS

Councilperson \_\_\_\_\_ thereupon declared the motion carried and the resolution adopted.

\*\*\*

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN  
THE AMOUNT OF \$250,000 FOR THE PLANNING AND DESIGN  
OF THE SANDY HOOK PERMANENT MEMORIAL AS  
AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2018-19  
TO 2022-23)

RESOLVED:

The Planning and Zoning Commission of the Town of Newtown, exercising the authority of the Planning Commission pursuant to §8-24 of the General Statutes, having reviewed the proposal for the planning and design of the Sandy Hook Permanent Memorial, hereby approves said proposal;

EXCERPT FOR MINUTES OF NEWTOWN  
PLANNING AND ZONING COMMISSION MEETING  
HELD \_\_\_\_\_, 2018

Item \_\_\_\_\_.

Commissioner \_\_\_\_\_ moved that the following resolution be adopted:

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN  
THE AMOUNT OF \$250,000 FOR THE PLANNING AND DESIGN  
OF THE SANDY HOOK PERMANENT MEMORIAL AS  
AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2018-19  
TO 2022-23)

A copy of said resolution is attached hereto.

Seconded by Commissioner \_\_\_\_\_. [Insert discussion, if any.]

Roll Call Vote:

AYES  
(List Names)

NAYS

\* \* \*

I hereby certify that the above is a true and correct copy of the excerpt of the Minutes of the above meeting as they are recorded in the records of the Town.

\_\_\_\_\_  
Clerk



RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN  
THE AMOUNT OF \$300,000 FOR THE RENOVATIONS,  
REPLACEMENTS AND UPGRADES TO THE CYRENIUS H.  
BOOTH LIBRARY AS AUTHORIZED IN THE CAPITAL  
IMPROVEMENT PLAN (2018-19 TO 2022-23)

RESOLVED:

The Planning and Zoning Commission of the Town of Newtown, exercising the authority of the Planning Commission pursuant to §8-24 of the General Statutes, having reviewed the proposal for the renovations, replacements and upgrades to the Cyrenius H. Booth Library, hereby approves said proposal;

EXCERPT FOR MINUTES OF NEWTOWN  
PLANNING AND ZONING COMMISSION MEETING  
HELD \_\_\_\_\_, 2018

Item \_\_\_\_\_.

Commissioner \_\_\_\_\_ moved that the following resolution be adopted:

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN  
THE AMOUNT OF \$300,000 FOR THE RENOVATIONS,  
REPLACEMENTS AND UPGRADES TO THE CYRENIUS H.  
BOOTH LIBRARY AS AUTHORIZED IN THE CAPITAL  
IMPROVEMENT PLAN (2018-19 TO 2022-23)

A copy of said resolution is attached hereto.

Seconded by Commissioner \_\_\_\_\_. [Insert discussion, if any.]

Roll Call Vote:

AYES  
(List Names)

NAYS

\* \* \*

I hereby certify that the above is a true and correct copy of the excerpt of the Minutes of the above meeting as they are recorded in the records of the Town.

\_\_\_\_\_  
Clerk

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$300,000 FOR THE RENOVATIONS, REPLACEMENTS AND UPGRADES TO THE CYRENIUS H. BOOTH LIBRARY AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2018-19 TO 2022-23) AND AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of \$300,000 is a special appropriation made pursuant to Chapter 6, Section 6-35 of the Town Charter of the Town of Newtown (the "Town") for the renovations, replacements and upgrades to the Cyrenius H. Booth Library, including, but not limited to, the furnishing and installation of replacement skylights; roof and flashing repairs; HVAC system upgrades; the furnishing and installation of carpeting; upgrades to lavatories for ADA compliance and the furnishing and installation of lighting, plumbing and fixtures; equipment and technology upgrades; Phase II long range space planning & development, including staff security, children's room, meeting room and flexible space; and furniture replacement, all as authorized in the Capital Improvement Plan (2018-19 to 2022-23) and for architectural and engineer's fees, administrative, financing, legal and costs of issuance related thereto (collectively, the "Project"), said appropriation to be inclusive of any and all State and Federal grants-in-aid thereof.

Section 2. To meet said appropriation, \$300,000 bonds of the Town, or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of Connecticut, Revision of 1958, as amended from time to time (the "Connecticut General Statutes"). The bonds may be issued in one or more series as determined by the Financial Director, and the amount of bonds of each series to be issued shall be fixed by the Financial Director, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amount of State and Federal grants-in-aid of the Project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of the bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The bonds shall be in the denomination of \$5,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Financial Director, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest shall be determined by the First Selectman and the Financial Director, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the First Selectman and the Financial Director in a competitive offering and the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. To the extent required by the Charter of the Town of Newtown, bids shall be solicited from at least three lending institutions. A notice of sale or a summary thereof

describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 4. The First Selectman and the Financial Director are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the First Selectman and the Financial Director, have the seal of the Town affixed, be payable at a bank or trust company designated by the First Selectman, be approved as to their legality by Robinson & Cole LLP, of Hartford, Connecticut, and be certified by a bank or trust company designated by the First Selectman pursuant to Section 7-373 of the Connecticut General Statutes. The notes shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The First Selectman or his designee is hereby authorized, in the name and on behalf of the Town, to apply for and accept any and all Federal and State loans and/or grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith, to contract in the name of the Town with engineers, contractors and others.

Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this resolution in the maximum amount of the Project with the proceeds of bonds or bond anticipation notes or other obligations ("Tax-Exempt Obligations") authorized to be issued by the Town. The Tax-Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Financial Director or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of Tax-Exempt Obligations, and to amend this declaration.

Section 7. The First Selectman and the Financial Director are hereby authorized, in the name and on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The First Selectman is hereby authorized, in the name and on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution.

**TOWN OF NEWTOWN**  
**FINANCIAL IMPACT STATEMENT**  
**(Per Town Charter 6-35(b) & 7-25)**

REQUESTING DEPARTMENT FIRST SELECTMAN

**PROJECT:** SANDY HOOK PERMANENT MEMORIAL - PLANNING AND DESIGN

<b>PROPOSED APPROPRIATION AMOUNT:</b>	<b>\$ 250,000</b>
---------------------------------------	-------------------

<b>PROPOSED FUNDING:</b>	
BONDING	\$ 250,000
GRANT	
OTHER	
	<u>\$ 250,000</u>

**ANNUAL FINANCIAL IMPACT ON OPERATING BUDGET (GENERAL FUND):**

List any financial impact your request will have on the Town's annual operating budget.  
Attach spreadsheet(s) showing your calculation of the estimated impact.

EXPENDITURE CATEGORY:	**FOR BRACKETS USE NEGATIVE SIGN BEFORE NUMBER**	(POSITIVE IMPACT) / NEGATIVE IMPACT	Attachment #
SALARIES & BENEFITS			
PROFESSIONAL SERVICES			
CONTRACTED SERVICES			
REPAIRS & MAINTENANCE			
UTILITIES			
OTHER			
DEBT SERVICE (1st year)	\$	21,000	
TOTAL IMPACT ON EXPENDITURES	\$	21,000	

REVENUE CATEGORY:	POSITIVE IMPACT / (NEGATIVE IMPACT)	Attachment #
PROPERTY TAXES		
CHARGES FOR SERVICES (FEES)		
OTHER		
<b>TOTAL IMPACT ON REVENUES</b>	<b>\$ -</b>	

TOTAL FINANCIAL IMPACT ON OPERATING BUDGET	\$ 21,000
--	-----------

<b>EQUIVALENT MILL RATE OF TOTAL IMPACT</b> (using current year's information)	0.0067 mills
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**COMMENTS:**

There will be some financial impact on the Town Budget regarding maintenance. That amount has not been determined yet due to the scope of the project is not known yet.

PREPARED BY: Kols Tst DATE: 11/5/2018

DATE: 11/5/2018

TO: BOF, LC

**TOWN OF NEWTOWN  
FINANCIAL IMPACT STATEMENT  
(Per Town Charter 6-35(b) & 7-25)**

**REQUESTING DEPARTMENT** CYRENIUS H. BOOTH LIBRARY

**PROJECT:** LIBRARY RENOVATIONS, REPLACEMENTS & UPGRADES

**PROPOSED APPROPRIATION AMOUNT:** \$ 300,000

**PROPOSED FUNDING:**

BONDING \$ 300,000

GRANT

OTHER

\$ 300,000

**ANNUAL FINANCIAL IMPACT ON OPERATING BUDGET (GENERAL FUND):**

List any financial impact your request will have on the Town's annual operating budget.  
Attach spreadsheet(s) showing your calculation of the estimated impact.

**EXPENDITURE CATEGORY:**

\*\*FOR BRACKETS USE NEGATIVE SIGN  
BEFORE NUMBER\*\*

(POSITIVE IMPACT) /  
NEGATIVE IMPACT

Attachment  
#

SALARIES & BENEFITS

PROFESSIONAL SERVICES

CONTRACTED SERVICES

REPAIRS & MAINTENANCE

UTILITIES

OTHER

DEBT SERVICE (1st year)

\$ 25,000

**TOTAL IMPACT ON EXPENDITURES**

\$ 25,000

**REVENUE CATEGORY:**

POSITIVE IMPACT /  
(NEGATIVE IMPACT)

Attachment  
#

PROPERTY TAXES

CHARGES FOR SERVICES (FEES)

OTHER

**TOTAL IMPACT ON REVENUES**

\$ -

**TOTAL FINANCIAL IMPACT ON OPERATING BUDGET**

\$ 25,000

**EQUIVALENT MILL RATE OF TOTAL IMPACT**

(using current year's information)

0.0079 mills

**COMMENTS:**

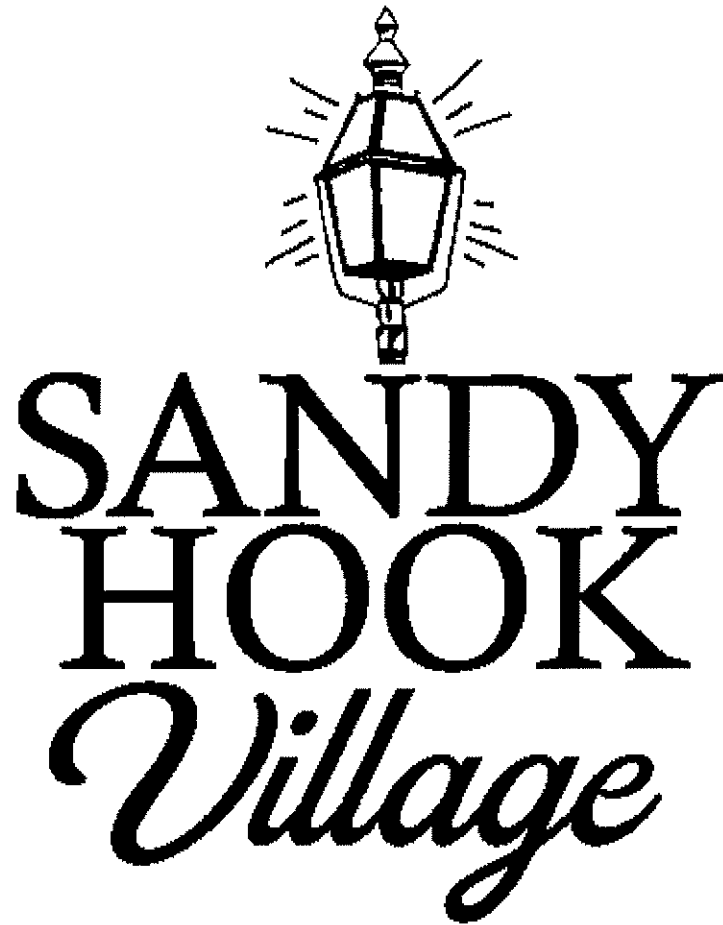
There will be no financial impact on the Town Budget except for debt service.

PREPARED BY:



DATE: 11/5/2018

TO: BOF, LC



# Heritage Park & Trail Concept Proposal

November 7, 2018

*Sponsored by:*

Sandy Hook Organization For Prosperity (S.H.O.P.)

# Sandy Hook Organization for Prosperity (S.H.O.P.)

## Overview



- Promotes Sandy Hook Village as a family friendly, pedestrian-oriented, mixed-use community within Newtown
- Actively partners with the Town on initiatives geared toward the continued revitalization and growth of the Village since the 1980's
- Membership is comprised of local Sandy Hook residents, property owners and business proprietors.
- Instrumental in consensus building, advocacy, fundraising, marketing and oversight of Sandy Hook Village projects/programs, including
  - Design District Overlay
  - Streetscape Projects (2)
  - Waterline Projects (2)
  - Village Maintenance
  - Seasonal Light Pole Decorations



### Annual Events Organized & Sponsored By S.H.O.P.

Concert Series  
Passport to Sandy Hook  
Halloween Walk  
Christmas Tree Lighting

Active & Engaged Community Based Organization



# 7 Glen Road

Former Garage - Town Owned

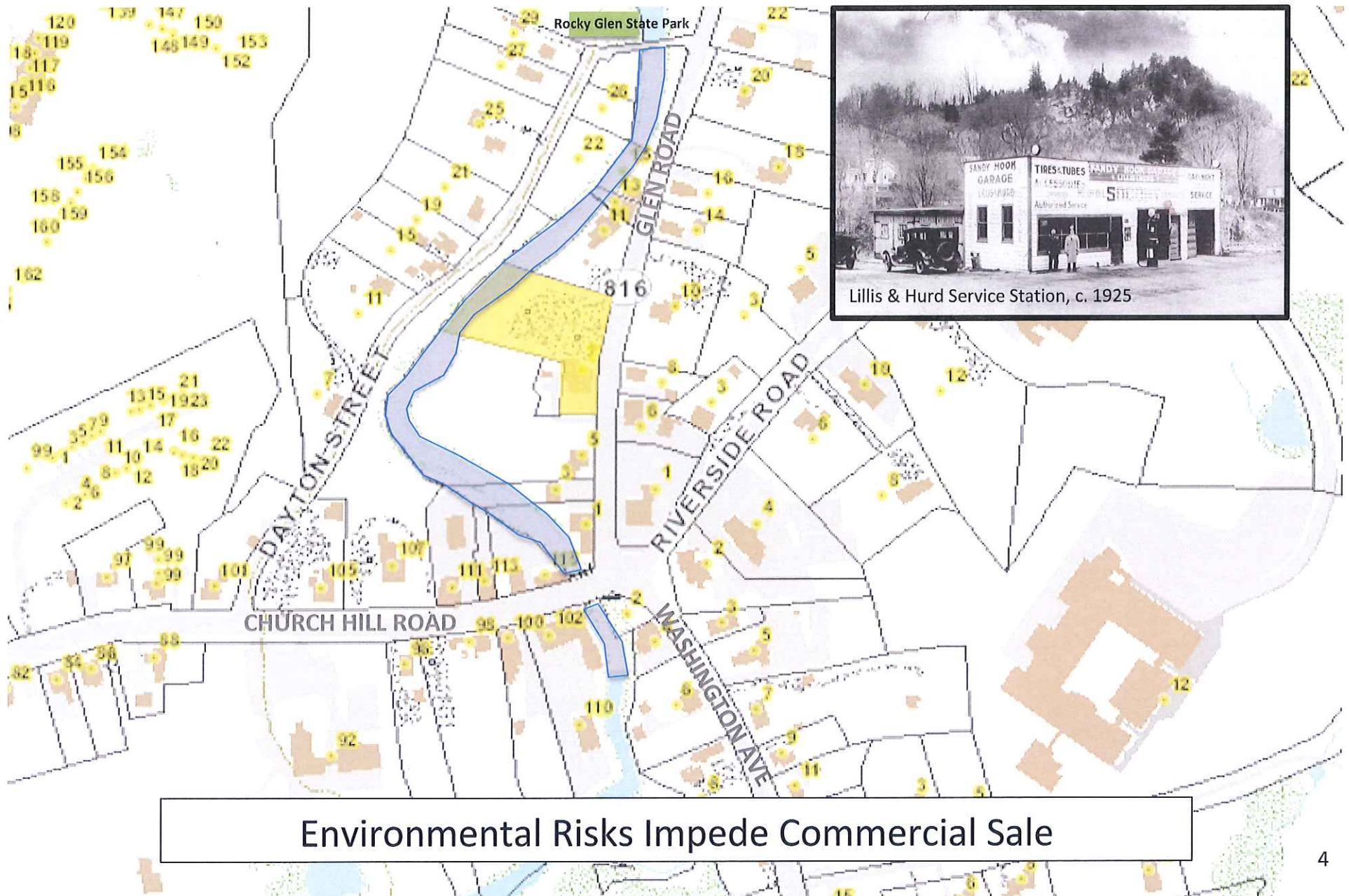


Overgrown & Unlit Lot Detracts From Sandy Hook Village



# 7 Glen Road

Former Garage - Town Owned



# Sandy Hook Heritage Park & Trail

## 7 Glen Rd Concept Proposal



- Retain as Town owned property and repurpose into a community park (“Heritage Park”)
- Heritage Park to feature open space along the Pootatuck River
- Heritage Trail Pavilion to display a historical introduction to Sandy Hook and a walking trail map of the area
- Permanent trail markers will display historical narratives & vintage photographs of prominent individuals, groups, events and architecture in Sandy Hook
- Heritage Trail content to be curated by Dan Cruson



Highest & Best Use For Parcel

# Sandy Hook Heritage Park

## Site Plan Concept



Showcases Sandy Hook's Natural Features & Reintroduces Green Space In Sandy Hook Village



# Heritage Park

## Heritage Trail Pavilion



Creates Community Gathering & Event Space



# Heritage Park

Street View



Heritage Pavilion Welcomes Visitors To Sandy Hook



# Heritage Park

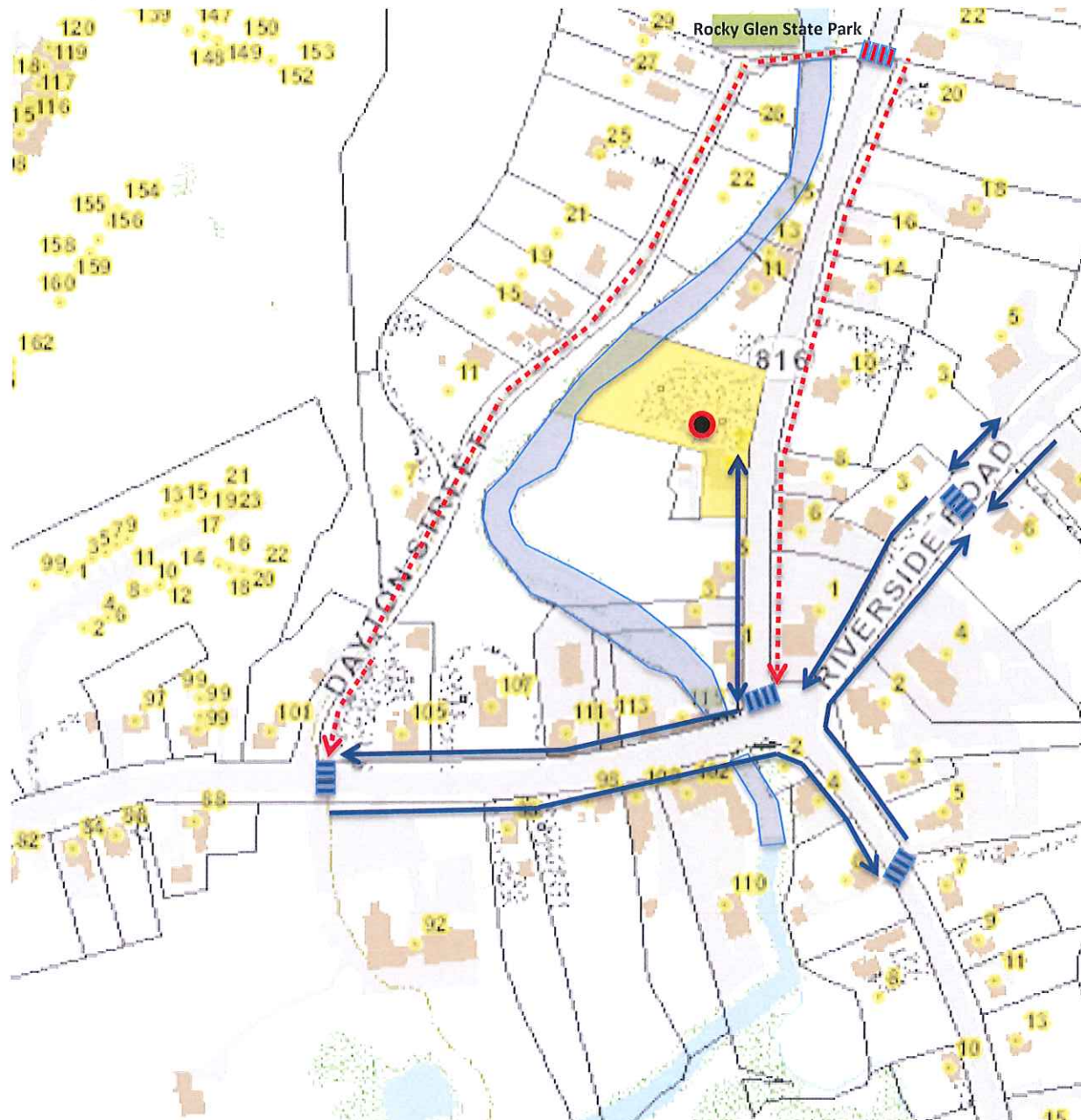
## Heritage Trail Pavilion



Serves As Starting & End Point For Heritage Trail



# Heritage Trail: Proposed Route



- **Heritage Trail Head** ●
- **“Primary” Route** —  
Focused On Village Center
- **“Optional” Route** .....  
Incorporates Dayton Street &  
Rocky Glen State Park
- **Example Trail Map:**

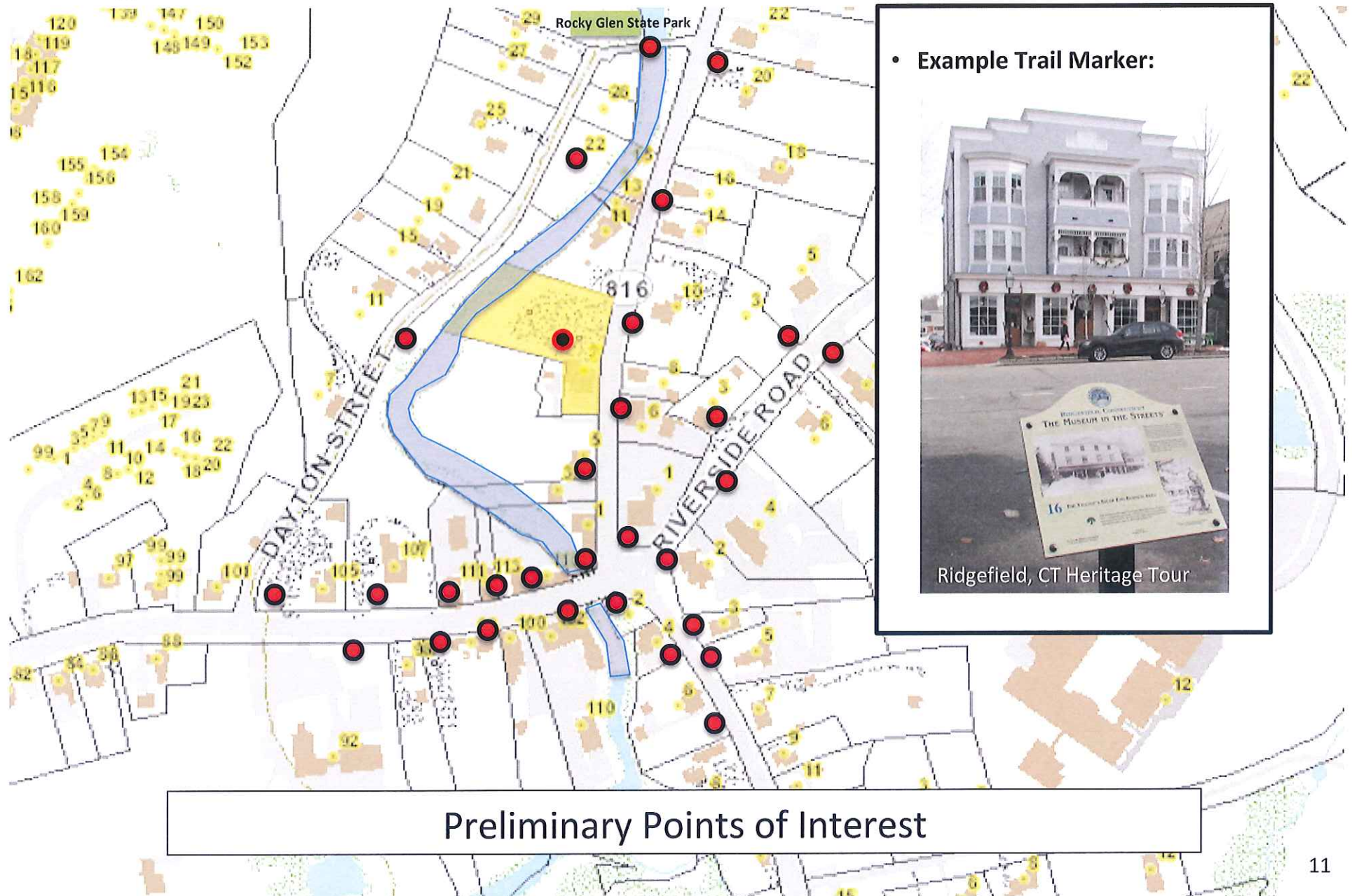


Ridgefield's Heritage Tour

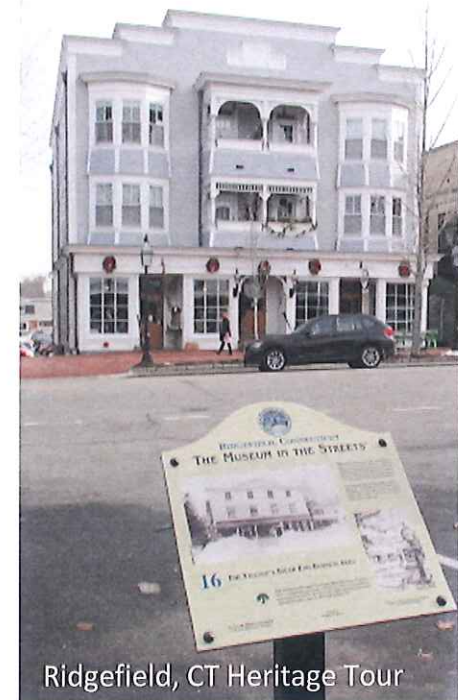


# Heritage Trail

## Walking Trail Markers



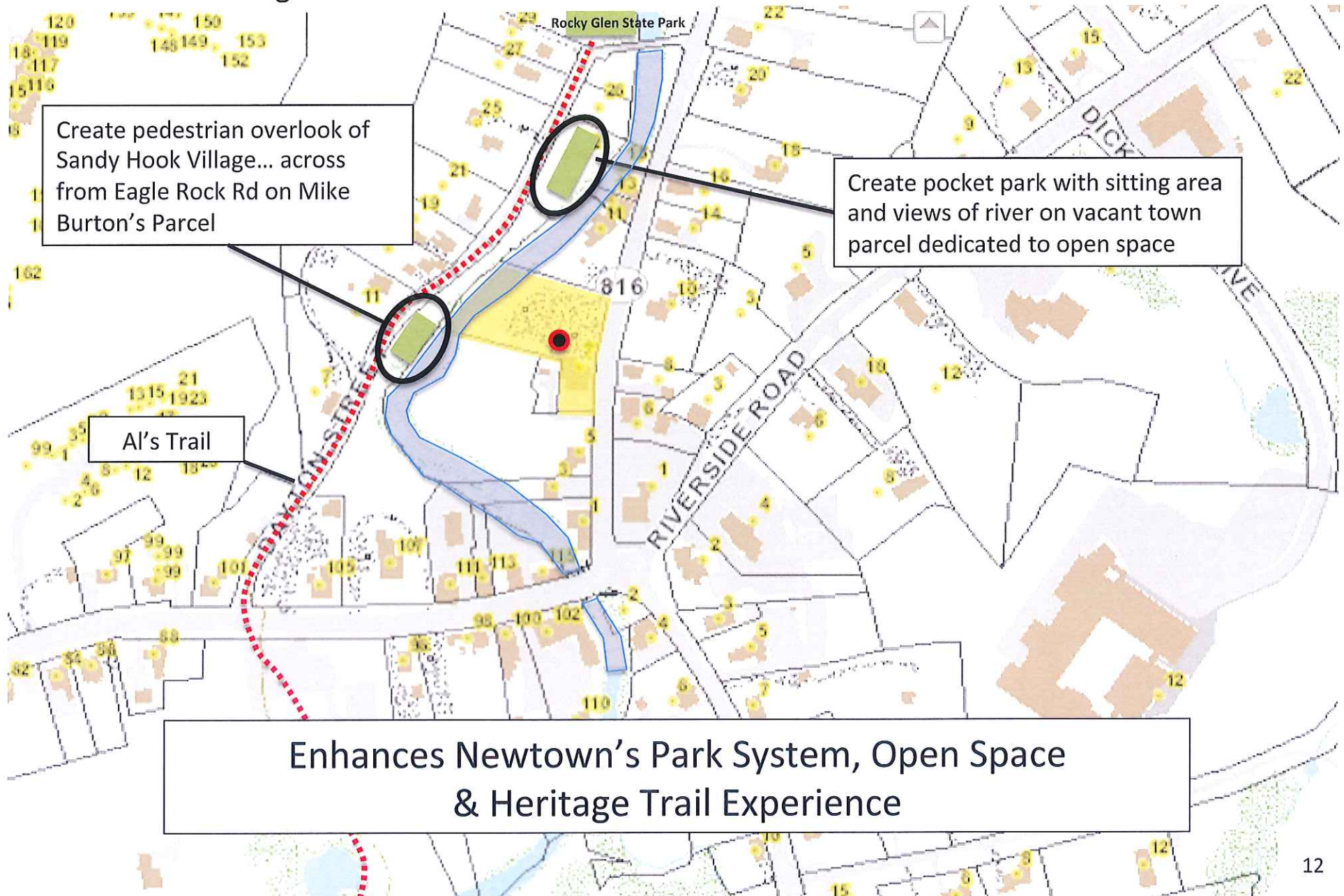
- **Example Trail Marker:**





# Dayton Street Enhancements

## Pocket Park & Village Overlook



# Heritage Park & Trail

## Estimated Costs



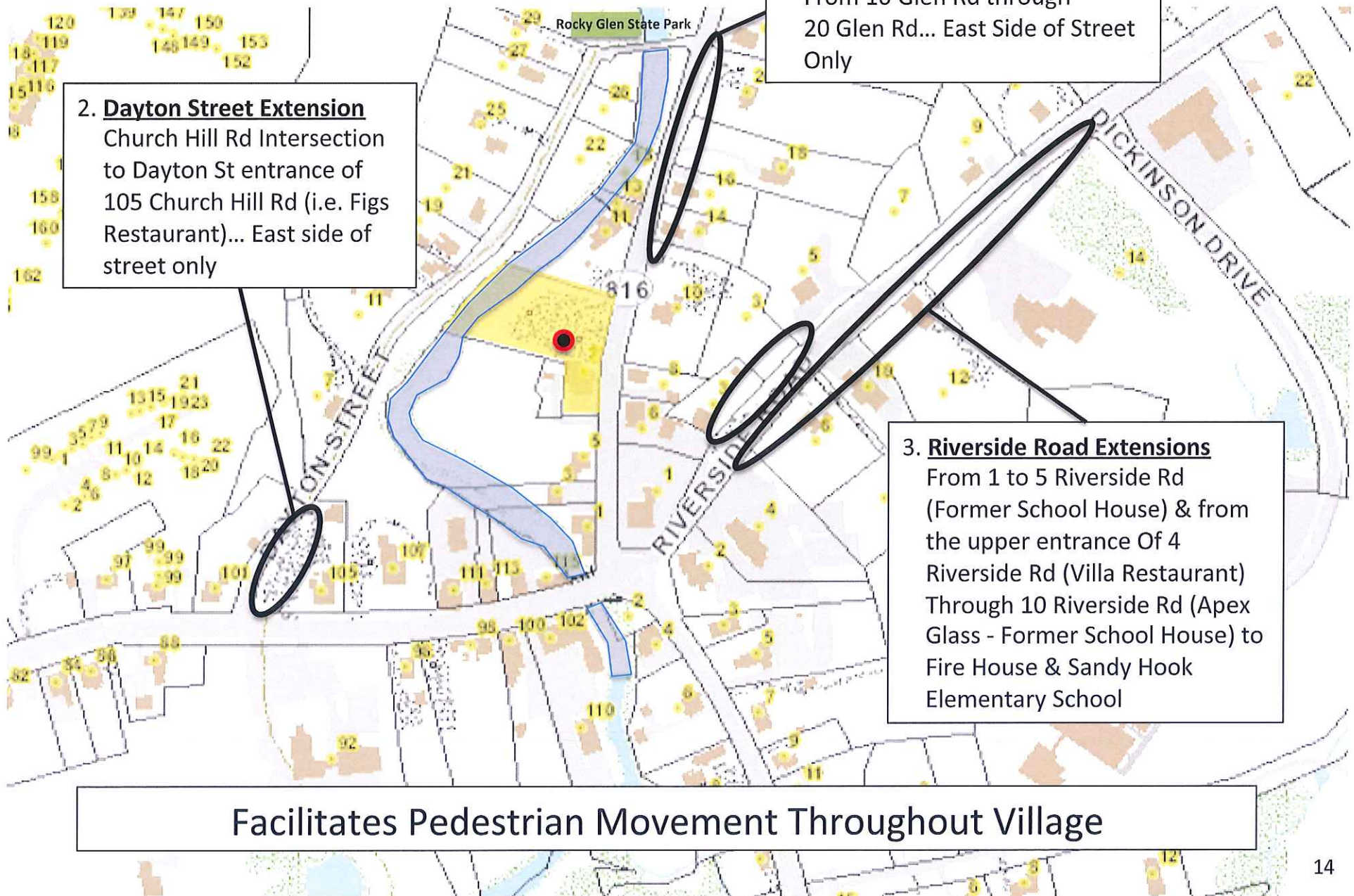
	<u>Estimate</u>	<u>Totals</u>
<b>1 <u>HERITAGE PARK</u></b>		
Park	\$ 161,080	
Streetscape	\$ 52,700	
Landscape Plantings	\$ 20,000	
<b>Park Total</b>		<b>\$ 233,780</b>
<b>2 <u>HERITAGE TRAIL</u></b>		
Panels & Markers	\$ 22,532	
Posts	11,775	
Pamphlets	200	
<b>Trail Total</b>		<b>\$ 34,507</b>
<b>3 <u>DAYTON ST ENHANCEMENTS</u></b>		
Sandy Hook Village Overlook	4,500	
Pocket Park	13,000	
<b>Dayton St Total</b>		<b>17,500</b>
<b>TOTAL HERITAGE PARK &amp; TRAIL</b>		<b>\$ 285,787</b>
<b>Less:</b>		
SHOP Donation (Labor)	\$ 55,675	
SHOP Donation (Material)	\$ 18,000	
Flint Ridge Development LLC (Matching Contribution Challenge)	50,000	
TBD (Matching Contributions)	50,000	
<b>TOTAL ESTIMATED DONATIONS</b>		<b>\$ 173,675</b>
<b>TOTAL NET COST ESTIMATE</b>		<b>\$ 112,112</b>

Targeting Donations To Cover 60% Of Estimated Cost



# Village Streetscape Extensions

## Sidewalks & Street Lamps



### 1. Glen Road Extension

From 10 Glen Rd through  
20 Glen Rd... East Side of Street  
Only

### 2. Dayton Street Extension

Church Hill Rd Intersection  
to Dayton St entrance of  
105 Church Hill Rd (i.e. Figs  
Restaurant)... East side of  
street only

### 3. Riverside Road Extensions

From 1 to 5 Riverside Rd  
(Former School House) & from  
the upper entrance Of 4  
Riverside Rd (Villa Restaurant)  
Through 10 Riverside Rd (Apex  
Glass - Former School House) to  
Fire House & Sandy Hook  
Elementary School

Facilitates Pedestrian Movement Throughout Village

# Village Streetscape Extensions

## Estimated Costs



<b><u>STREETSCAPE EXTENSIONS</u></b>	<b><u>Estimate</u></b>	<b><u>Total</u></b>
Glen Rd (East Only)	\$ 95,250	
Dayton St (East Only)	20,800	
Riverside Rd (North & South)	340,200	
<b>TOTAL STREETSCAPE EXTENSIONS</b>		<b>\$ 456,250</b>

Town Should Consider Phasing In Streetscape Extensions

# Sandy Hook Heritage Park & Trail

## Primary Benefits



- Mitigates risks and costs of remediating former garage parcel for commercial redevelopment
- Increases Town control over the ultimate redesign and use of the troubled parcel
- Increases real estate values (and thus the tax bases) of Sandy Hook Center
- Enhances Sandy Hook's identity by showcasing history & area's unique natural features
- Welcomes, attracts, educates & enables visitors
- Celebrates historical preservation



Contributes To Economic Viability & Growth Of Sandy Hook

TOWN of NEWTOWN, CONNECTICUT

CODE OF ORDINANCES

Ordinance Prohibiting the Storage, Disposal or Use of Fracking Waste

xxx-01 Definitions for the Purposes of this Ordinance:

1) For the purposes of this Ordinance, the following terms, phrases, and words shall have the meanings given here, unless otherwise clearly indicated by the context:

2) "Hydraulic fracturing" shall mean the fracturing of underground rock formations, including shale and non-shale formations, by manmade fluid-driven techniques for the purpose of stimulating oil, natural gas, or other subsurface hydrocarbon production.

3) "Natural gas extraction activities" shall mean all geologic or geophysical activities related to the exploration for or extraction of natural gas, including, but not limited to, core and rotary drilling and hydraulic fracturing.

4) "Oil extraction activities" shall mean all geologic or geophysical activities related to the exploration for or extraction of oil, including, but not limited to, core and rotary drilling and hydraulic fracturing.

5) "Natural gas waste" shall mean: a) any liquid or solid waste or its constituents that is generated as a result of natural gas extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants; b) leachate from solid wastes associated with natural gas extraction activities; c) any waste that is generated as a result of or in association with the underground storage of natural gas; d) any waste that is generated as a result of or in association with liquefied petroleum gas well storage operations; and e) any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.

6) "Oil waste" shall mean: a) any liquid or solid waste or its constituents that is generated as a result of oil extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants; b) leachate from solid wastes associated with oil extraction activities; and c) any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.

7) "Application" shall mean the physical act of placing or spreading natural gas waste or oil waste on any road or real property located within the Town of Newtown.

8) As used in this Ordinance, the term Town shall mean the Town of Newtown.

xxx-02 Prohibitions:

1) The application of natural gas waste or oil waste, whether or not such waste has received Beneficial Use Determination or other approval for use by DEEP (Department of Energy & Environmental Protection) or any other regulatory body, on any road or real property located within the Town for any purpose is prohibited.

- 2) The introduction of natural gas waste or oil waste into any wastewater treatment facility within or operated by the Town is prohibited.
- 3) The introduction of natural gas waste or oil waste into any solid waste management facility within or operated by the Town is prohibited.
- 4) The storage, disposal, sale, acquisition, transfer, handling, treatment and/or processing of waste from natural gas or oil extraction is prohibited within the Town.

xxx-03 Provision to be included in bids and contracts related to the construction or maintenance of publicly owned and/or maintained roads or real property within the Town:

- 1) All bids and contracts related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the Town shall include a provision stating that no materials containing natural gas or oil waste shall be utilized in providing such a service.
- 2) All bids and contracts related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and/or maintained road or real property within the Town shall include a provision stating that no materials containing natural gas or oil waste shall be provided to the Town.
- 3) The following statement, which shall be a sworn statement under penalty of perjury, shall be included in all bids related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and or maintained road or real property within the Town and all bids related to the retention of services to construct or maintain any publicly owned and/or maintained road or real property within the Town: "We \_\_\_\_\_ hereby submit a bid for materials, equipment and/or labor for the Town of Newtown. The bid is for bid documents titled \_\_\_\_\_. We hereby certify under penalty of perjury that no natural gas waste or oil waste will be used by the undersigned bidder or any contractor, subcontractor, agent or vendor agent in connection with the bid; nor will the undersigned bidder or any sub-contractor, agent or vendor agent thereof apply any natural gas waste or oil waste to any road or real property within the Town of Newtown as a result of the submittal of this bid if selected."

#### xxx-04 Penalties

This ordinance shall apply to any and all actions occurring on or after the effective date of this ordinance. In response to a violation of this ordinance, the Town is empowered to a) issue "Cease and Desist" orders demanding abatement of the violation, b) seek any appropriate legal relief, including immediate injunctive relief, as a result of any violation of this ordinance; c) file a complaint with any other proper authority; and d) require remediation of any damage done to any land, road, building, aquifer, well, watercourse, air quality or other asset, be it public or private, within the Town of Newtown. The Town may recoup from the offending person(s), jointly and severally, all costs, including experts, consultants and reasonable attorney's fees, that it incurs as a result of having to prosecute or remediate any infraction of this ordinance. Any person who violates this ordinance shall be liable for a fine of \$250 per the General Statutes. The town may also pursue other penalties as applicable pursuant to the General Statutes.

Commented [DD1]: Other towns have imposed a \$250 per day fine.

xxx-05 Enforcement:

Any designee authorized by the Board of Selectmen of Newtown may pursue penalties against any person(s) who commits violations of this ordinance. The involvement of any Town of Newtown officials will not require testing of waste products to determine chemical contents, this work will be done via contacting DEEP or other 3rd party analytical laboratories as is current practice in the Town of Newtown for other exposures to potentially hazardous chemical situations. Any designee authorized by the Board of Selectmen may request the Commissioner of CTDEEP pursue civil penalties defined by the General Statutes, as applicable.

**Commented [DD2]:** Other towns have given the First Selectman the authority to designate an enforcement officer.

**Commented [DD3]:** Provisions should be included here for the appointment of a citation hearing officer and appeal procedure pursuant to Conn. Gen. Stat. 7-152c. See for example Newtown Ordinance s. 216-22 and 216-23.

xxx-06 Severability

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered. To further this end, the provisions of this Ordinance are hereby declared to be severable.

xxx-07 Transportation

Nothing in this ordinance shall be interpreted to ban the transportation of any product or byproduct described herein on any roadway or real property within Newtown.

*Verbatim language for Sections 1-3 have passed in 9 CT municipalities: Andover, Ashford, Branford, Coventry, Middletown, Mansfield, Portland, Windham (includes Willimantic), and Windsor. These municipalities have individualized language in sections 4-6; As shown here, sections 4-6 is a composite of what has passed already in CT. Some towns have omitted section 7; it is not necessary, as nothing in the language defines or prohibits transportation. This draft ordinance is modeled after language crafted by legal counsel for Riverkeeper.*



# Intergovernmental Agreement

## Between

## The Municipalities Of

Barkhamsted, Bethlehem, Bethel, Bridgewater, Brookfield, Canaan, Cheshire, Colebrook, Cornwall, Danbury, Goshen, Hartland, Harwinton, Kent, Litchfield, Middlebury, Morris, Newtown, New Fairfield, New Milford, New Hartford, Naugatuck, Norfolk, North Canaan, Prospect, Redding, Ridgefield, Roxbury, Salisbury, Sharon, Sherman, Southbury, Thomaston, Torrington, Warren, Washington, Waterbury, Watertown, Winchester / Winsted, Wolcott, Woodbury.

THIS Intergovernmental Agreement ("Agreement"), is entered into by and among the above-named municipalities, (collectively referred to as the "Parties" and, each individually, referred to as a Party") that together comprise the local workforce development area under the Workforce Innovation and Opportunity Act of 2014, (WIOA) Pub. L. 113-128, 29 U.S.C. Sec. 3101, et. seq.

WHEREAS WIOA, provides for states to award funds by formula to local workforce development areas for the purpose of providing workforce development services to citizens and residents in the local workforce development area; and

WHEREAS the above-named municipalities, together constitute a local workforce development area, under WIOA; and

WHEREAS WIOA requires that workforce development areas consisting of multiple local governmental units enter into an agreement with each other to describe how they will carry out their roles and responsibilities;

NOW, THEREFORE, in consideration of the premises and mutual covenants and obligations herein contained and subject to the terms and conditions hereinafter stated, the Parties agree and understand as follows:

### ARTICLE I: AGREEMENT PURPOSE

It is the purpose of this Agreement to specify the roles of the individual chief elected officials representing their municipality within the workforce development area in carrying out their responsibilities under WIOA in accordance with WIOA §107(c)(1)(B) and 29 CFR 679.310, 29 CFR 679.420 and 29 CFR 683.710

## ARTICLE II: PARTIES TO THE AGREEMENT

- a. The Parties to this Agreement shall be each of the forty-one (41) individual municipalities named above as represented by their Chief Elected Officials.
- b. Each Party represents and warrants that it has the constitutional and/or statutory power pursuant to the Connecticut General Statutes to enter into this Agreement and has complied with the requirements necessary to authorize execution of this Agreement.

## ARTICLE III: TERM

- a. This Agreement shall become effective on June 1, 2018, and shall automatically renew every 3 years on July 1st of the third year, unless or until:
  - i. The Governor re-designates the Local Workforce Development Area, or
  - ii. This Agreement has been terminated by a Party upon the giving of written notice to the other Parties at least ninety (90) days prior to July 1st of the year in which the Party wishes to withdraw from the Agreement. In such instance this Agreement shall be terminated only as to such Party and not as to the other Parties to the Agreement.
- b. If any Party withdraws from this Agreement in accordance with the terms and conditions of this Agreement:
  - i. The withdrawing Party shall be liable as described in Article VI a, for actions and/or obligations entered into or incurred prior to the effective date of its respective withdrawal.
  - ii. The remaining Parties shall be allocated the future liabilities of the withdrawing Party on a pro-rata basis relative to its then-existing pro-rata liabilities hereunder;
  - iii. At the option of the other Parties:
    - A. This Agreement shall continue as to all of the other Parties and to the extent that an amendment is necessary or appropriate, the Parties may enter into such amendment, or
    - B. A new agreement may be negotiated.

## ARTICLE IV: ORGANIZATION

- a. To carry out the purposes of this Agreement a Consortium shall be created consisting of each Party's Chief Elected Official.

- i. The officers of the Consortium of Elected Officials shall include a chairperson, a vice-chairperson and a chairperson pro-tempore.
  - ii. The Chief Elected Officials of the Cities of Danbury and Waterbury shall alternate annually as chair and vice-chair, commencing with the Mayor of Waterbury serving as the chair.
  - iii. The chairperson pro-tempore shall be elected by the Executive Committee, of the Consortium as described in paragraph b below.
- b. There shall be an Executive Committee of the Consortium.
- i. The Executive Committee shall consist of (5) members. Two shall be permanent members and three members shall serve on a two (2) year rotating basis.
    - A. The Mayors of Waterbury and Danbury shall be the permanent members.
    - B. The rotating members shall be determined as follows:
      - C. The Mayor of Danbury shall select the Chief Elected Official of one of the municipalities, party to this Agreement
      - D. The Mayor of Waterbury shall select the Chief Elected Official of one of the municipalities, party to this Agreement
      - E. Together, the Mayors of Waterbury and Danbury shall agree upon the selection of the Chief Elected Official of one of the municipalities, party to this Agreement.
      - F. The terms of the rotating members shall coincide with the calendar year, however the inaugural rotation term shall commence on July 1, 2019 and terminate on December 31, 2021.
  - ii. The officers of the Consortium of Elected Officials shall serve as the officers of the Executive Committee. The chairperson pro-tempore shall be elected by the full Executive Committee, from among the Chief Elected Officials of the rotating municipalities. Each shall hold office until their successors are duly elected. Notwithstanding the foregoing, the initial term of officers shall commence in July 1, 2019 and shall terminate on December 31, 2021.
  - iii. The Consortium of Elected Officials representing the Parties to this Agreement delegates and designates the Executive Committee to perform the duties and responsibilities of the Chief Elected Officials as specified in WIOA.

- A. The Chair shall serve as the signatory for those WIOA responsibilities requiring the signature of the Chief Elected Official.
- B. In the absence of the Chair or if the Chair is unavailable, the Vice Chair may serve as the signatory for those WIOA responsibilities requiring the signature of the Chief Elected Official.
- C. In the absence of the Chair and Vice Chair the Chair Pro-Tempore may serve as the signatory for those WIOA responsibilities requiring the signature of the

iv. Meetings

- I. The Executive Committee shall meet at least semi-annually in January and June and more frequently as may be required to carry out the responsibilities assigned to the Chief Elected Officials under WIOA.
- II. The Executive Committee may decide to meet jointly with the Northwest Regional Workforce Board, Inc. for the purpose of conducting its business.
- III. Executive Committee Meetings in addition to the semiannual meetings may be called by any of the Officers to the Consortium of Elected Officials or upon the request of the Northwest Regional Workforce Board Executive Director to an Officer of the Consortium of Elected Officials.
- IV. The chairperson shall preside at all Executive Committee meetings and shall perform all duties incident to that office. The vice-chairperson shall preside in the absence of the chairperson and shall have the power to exercise and perform all duties of the chairperson.
- V. Meetings of the Executive Committee shall be publicly noticed and open to the public, in accordance with Connecticut State Statutes and federal law.
- VI. A quorum at any Executive Committee meeting shall consist of the majority of the members of the Executive Committee. Actions by the Executive Committee must receive the affirmative votes of a majority of those members present and voting.
- VII. Each member of the Executive Committee shall have one vote.

c. Designation of the Grant Recipient, Sub-Recipient and Fiscal Agent

- i. The City of Waterbury shall be the grant recipient for the purposes of receipt of federal and State workforce development and related funds.
- ii. The Northwest Regional Workforce Investment Board, Inc., a duly recognized 501© 3 nonprofit corporation, shall be the grant sub-recipient and fiscal agent for purposes of receipt of federal and State workforce development and related funds.

- iii. All programs and activities as well the cost of supporting the Consortium of Elected Officials, the Consortium Executive Committee and the Northwest Regional Workforce Board, Inc. shall be paid for and supported by:
    - A. Grant funds appropriated to the sub-grant recipient/fiscal agent, the Northwest Regional Workforce Board, Inc., by federal and State grants or appropriations; and
    - B. Any other grants in aid or assistance or appropriations from any of the Consortium of Elected Officials members, Northwest Regional Workforce Board, Inc. members, or any other organization or person, including the acceptance of gifts, grants, or bequests whether they be in the form of tangible or intangible property.
  - iv. Under the direction of its Executive Director, the Northwest Regional Workforce Board, Inc. shall provide staff support, to the Consortium of Elected Officials, the Consortium Executive Committee and the Northwest Regional Workforce Board, Inc. The staff shall carry out the policies of the Consortium as approved by the Executive Committee, and the Northwest Regional Workforce Board, Inc., produce required reports for their review and approval and provide such other services as may be necessary for the workforce board and Executive Committee to carry out its business.
- d. Creation and Appointment of a Majority Private Sector Workforce Development Board
- i. In accordance with WIOA section 107 and Conn. General Statutes 31-31 the Executive Committee shall appoint the members of the Northwest Regional Workforce Board, Inc.. The Workforce Board shall be comprised of four (4) categories of membership. Appointments to each category of membership shall meet the WIOA requirements described below:
    - A. Representatives of the Private Sector which shall be the majority of the members appointed
      - I. Nominations to the private sector seats on the Northwest Regional Workforce Investment Board shall be made by local business organizations and industry/trade associations and may be submitted to the Northwest Regional Workforce Board, Inc. for recommendation to the Executive Committee. ~~shall.~~
      - II. Private sector members shall be owners, chief executive officers, chief operating officers, or other individuals with optimum policy-making or hiring authority from businesses providing employment opportunities in in-demand industry sectors or occupations in the workforce development area.
      - III. At two members must represent small business as defined by the U.S. Small Business Administration

B. Workforce Representatives which shall comprise 20 percent of the members appointed:

- I. Nominations to the workforce representative seats shall be made by local labor federations.
- II. A minimum of three (3) members in this category shall be Representatives of Labor Organizations, one (1) of which shall be a training director, from a joint labor management apprenticeship program or a representative of an apprenticeship program in the workforce area if no joint program exists in the area.
- III. The balance of the members in this category may be:
  - aa. Representatives of community-based organizations serving the employment needs of individuals with barriers to employment, or
  - bb. Representatives of organizations serving veterans or
  - cc. Representatives of organizations that provide or support competitive integrated employment for individuals with disabilities, or
  - dd. Representatives of organizations serving youth including out-of-school youth

C. Representatives of Education which shall include:

- I. At least one eligible training provider administering adult education and literacy activities under WIOA title II, and
- II. At least one representative from an institution of higher education including community colleges.
  - aa. If it is determined that there is more than one local area provider of WIOA Title II adult education and literacy activities nominations shall be made by those entities.
  - bb. As there are multiple institutions of higher education providing workforce investment activities in the workforce area nominations shall be made from those entities.
- III. May include Representative(s) of local educational agencies or community-based organizations with expertise in education or training for individuals with barriers to employment.

D. Representatives of governmental, economic and community development entities which shall include:

- I. A representative from an economic and community development entity,
- II. A representative from the State employment service office,
- III. A representative of the programs carried out under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.) and
- IV. May include representatives of:
  - aa. Local transportation, housing, and public assistance agencies, or
  - bb. Local philanthropic organizations, or
  - cc. Other individuals as may be determined by Executive Board.
- ii. The nomination process for any of the categories of members not specified above shall be determined by the Executive Committee.
- iii. Local Workforce Development Board members shall serve at the pleasure of the Executive Committee.

#### ARTICLE V: POWERS DELEGATED TO THE EXECUTIVE COMMITTEE

- a. In addition to the powers already granted under this Agreement, the Executive Committee shall execute the following powers on behalf of the Consortium of Elected Officials for the workforce area:
  - i. To adopt policies in those areas delegated to the chief elected officials under WIOA aligned with federal and state rules and regulations.
  - ii. To adopt policies together with the Northwest Regional Workforce Board, Inc. in those areas delegated to the Chief Elected Official(s) and the local board under WIOA
  - iii. To enter into contracts with any one of the Parties to this Agreement
  - iv. To amend this Agreement, except for amendments or modifications to this Agreement related to the liability for funds under WIOA as described in Article VI.
  - v. To enter into contracts with the State Board or with the Northwest Regional Workforce Development Board Inc., appointed by the Executive Committee.

- vi. Establishment of the manner in which funds shall be disbursed or paid, which shall be by the Northwest Regional Workforce Board, Inc., designated to serve as the Fiscal Agent for the workforce area.
  - vii. To approve the process and selection of an independent auditor who shall perform the audit required under 2 CFR 200 Part F.
  - viii. To accept grants, donations, gifts, subject to conflict of interest laws, or other any other types of financial assistance as allowed by law
  - ix. The manner in which any program income, fee for services or surplus funds may be expended.
  - x. The composition, membership appointments, and organizational approval of any advisory or partnership bodies to the Executive Committee or the Consortium.
- b. Together with the Local Workforce Investment Board:
- i. Approve the budget of the Board
  - ii. Approve the Local Workforce Plan
  - iii. Designate/certify or competitively select local one-stop operators;
  - iv. Provide oversight with respect to all grant activities
  - v. Negotiate local performance measures and levels with the State;
  - vi. Establish the manner in which staff shall be employed to carry out and serve Consortium objectives with regard to workforce investment and related program policies; and
  - vii. The Local Workforce Development Board shall be responsible for the selection of an Executive Director. The process for the selection of an executive director shall be approved by the Executive Committee; and
- c. Any other necessary and proper matters as they may arise and as is agreed upon by the Executive Committee or Parties.

## ARTICLE VI: GENERAL PROVISIONS

- a. Assignment of liability for the funds.
  - i. The local workforce development area is comprised of forty-one (41) municipalities each of which is a Party to and has entered into this Agreement.



- ii. The parties recognize that WIOA assigns liability for the grant funds to the Grant Recipient which is the local Chief Elected Official or where there are multiple units of government in a local workforce development area, the Chief Elected Officials may agree on the allocation of liability among all the units of government.
- iii. In compliance with WIOA the Parties therefore agree that if an event resulting in a liability or loss is assessed against the Northwest Regional Workforce Development Area, related solely to the expenditures of grant funds, the Parties will assign liability amongst themselves equal to the worth of the relative benefit and proportionate use that each individual Municipality/Party received from the grant(s) during the grant award period in which the liability was incurred, subject to the following:
  - A. The Fiscal Agent for the local workforce area, the Northwest Regional Workforce Board, Inc., shall purchase the below listed insurance coverages to indemnify the Parties and to cover any liability event:
    - I. Directors and Officers Insurance with a Professional Liability (Errors and Omissions) Rider and which includes the cost of defense, to cover any monitoring or audit findings requiring the repayment of funds to the state or federal government including misappropriation or misuse of grant funds.
    - II. Employment Practices Liability Insurance
    - III. Commercial General Liability Insurance to cover claims involving bodily injury or property damage including fire including non-owner vehicle coverage.
    - IV. Commercial Crime Coverage to protect against crime, theft or fraud.
    - V. Employment Practices Liability Insurance to cover claims made by employees alleging discrimination (based on sex, race, age or disability, for example), wrongful termination, harassment and other employment-related issues, such as failure to promote.
  - B. Payment of insurance deductibles from grant funds, as allowed under, 2 CFR 200 et. seq. shall be made before the assignment of liability in order to reduce the amount of the liability for each Party.
  - C. Assuring that the Municipalities and Consortium/Executive Committee members are named insureds under the policies or that all insurance coverage required under this Agreement cites each Municipality, and the

Consortium/Executive Committee as additional insureds under the policies.

- D. The Northwest Regional Workforce Board, Inc. responding to findings or claims on a timely basis, providing such documentation as necessary to reduce any and all liabilities to the smallest amount possible and exhausting all appeals of audit or monitoring finding prior to the final assignment of liability, including a request for forgiveness or a waiver as allowed under 20 CFR 683.
- E. Utilizing alternative methods of repayment for the resolution any finding other than a cash repayment as provided for under federal law including a request for waiver or forgiveness as allowed under WIOA and 2 CFR 200 et, seq.
- F. Inclusion of the following clause in the Agreement between the Northwest Regional Workforce Board, Inc. and the Consortium of elected officials that:

"The Agreement Does Not Create an Agency or Employment Relationship Between the Consortium/Executive Council and the Northwest Regional Workforce Board, Inc.

That the Consortium/Executive Committee agree that the Northwest Regional Workforce Board, Inc. is an independent contractor and that no provision of the Agreement Between the Consortium/Executive Committee and the Northwest Regional Workforce Board, Inc. shall be construed as creating an agency or employment relationship between the Consortium/Executive Committee and the Northwest Regional Workforce Board, Inc. and their employees."

"The Northwest Regional Workforce Board, Inc. Responsible for Acts of Employees

The Consortium/Executive Committee and the Northwest Regional Workforce Board, Inc. agree that the Northwest Regional Workforce Board, Inc. shall be responsible for the actions of its representatives and employees, with regard to all aspects of Northwest Regional Workforce Board, Inc. responsibilities in serving as the administrative entity and fiscal agent for the Northwest Regional Workforce Board, Inc..

- iv. To assure that The Consortium/Executive Committee is apprised of the state of the Northwest Regional Workforce Board, Inc., copies of all state and federal monitoring reports the annual organization-wide independent

audit shall be distributed to each Municipality/Party to this Agreement addressed to its Chief Elected Official within ten days of their receipt.

- v. In the event of a finding or claim the Northwest Regional Workforce Board, Inc. shall keep each Municipality apprised of all resolution strategies and written responses to the findings through written communications and meetings as appropriate.
- b. This Agreement incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein and the Parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Agreement that are not contained in this Agreement. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representation or agreements whether oral or written.
- c. Whenever any Party desires to give notice unto another Party, notice must be given in writing sent by registered United States Mail with Return Receipt Requested, or by nationally recognized overnight courier, addressed to the Party for whom it is intended, at the address last specified in compliance with the provision of this Section. The Parties designate the office address of their respective Chief Elected Officials listed with their respective signatures on this Agreement as place for giving notice to a Party under this Agreement. Each Party may change the address for notice pursuant to a subsequent notice by the method and manner described in this Section.
- d. The Executive Committee shall make such reports to the State and the federal government as may be required and shall require such reports as necessary from the Board, the grant recipient or grant sub-recipient.
- e. No amendment or modification to this Agreement that increases the liability of any Party to the Agreement shall be effective unless such amendment or modification is agreed to in a written document executed and delivered on behalf of such Party by its authorized representative provided, however that any amendment to liabilities that occurs pursuant to Article III, Section b of this Agreement shall not require such written consent. All other amendments or modifications to the Agreement may be effected by the Executive Committee, which shall provide written notice to all Parties of such other amendments or modifications to this Agreement.
- f. Executive Committee members may be reimbursed for travel and out of pocket expenses to the extent allowed by the authorizing legislation governing the funding stream from which reimbursement is sought. Reimbursement shall be in accordance with federal, State and local policies.

- g. To the extent a dispute shall arise among the Parties in connection with this Agreement, the Parties shall first attempt an informal resolution, followed by formal mediation.
- h. Captions to Articles of this Agreement are for convenience only and shall form no part of this Agreement.
- i. This Agreement shall be deemed to be a binding contract and shall be construed in accordance with and governed by the laws of the State of Connecticut, without regard to its principles governing conflicts of laws.
- j. In the event that any provision of this Agreement or the application of any such provision to any Party or circumstances be held invalid or unenforceable, the remainder of this Agreement shall not be affected thereby and shall remain in full force and effect.
- k. Any waiver at any time by any Party of its rights with respect to any default or other matter arising in connection with this Agreement shall not be considered a waiver with respect to any subsequent default or other matter.

IN WITNESS WHEREOF, the Parties hereto have made and executed this Agreement on the respective dates under each signature;

## ARTICLE II: PARTIES TO THE AGREEMENT

- a. The Parties to this Agreement shall be each of the forty-one (41) individual municipalities named above as represented by their Chief Elected Officials.
- b. Each Party represents and warrants that it has the constitutional and/or statutory power pursuant to the Connecticut General Statutes to enter into this Agreement and has complied with the requirements necessary to authorize execution of this Agreement.

## ARTICLE III: TERM

- a. This Agreement shall become effective on June 1, 2019, and shall automatically renew every 3 years on July 1st of the third year, unless or until:
  - i. The Governor re-designates the Local Workforce Development Area, or
  - ii. This Agreement has been terminated by a Party upon the giving of written notice to the other Parties at least ninety (90) days prior to July 1 of the year in which the Party wishes to withdraw from the Agreement. In such instance this Agreement shall be terminated only as to such Party and not as to the other Parties to the Agreement.
- b. If any Party withdraws from this Agreement in accordance with the terms and conditions of this Agreement:
  - i. The withdrawing Party shall be liable as described in Article VI a, for actions and/or obligations entered into or incurred prior to the effective date of its respective withdrawal.
  - ii. The remaining Parties shall be allocated the future liabilities of the withdrawing Party on a pro-rata basis relative to its then-existing pro-rata liabilities hereunder;
  - iii. At the option of the other Parties:
    - A. This Agreement shall continue as to all of the other Parties and to the extent that an amendment is necessary or appropriate, the Parties may enter into such amendment, or
    - B. A new agreement may be negotiated.

## ARTICLE IV: ORGANIZATION

- a. To carry out the purposes of this Agreement a Consortium shall be created consisting of each Party's Chief Elected Official.